



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Washington, D.C. 20460

DEC - 5 2000

OFFICE OF  
CIVIL RIGHTS

**CERTIFIED MAIL # Z 480 247 093**  
**RETURN RECEIPT REQUESTED**

**In Reply to Refer to:**  
EPA File No: 12R-00-R1

[REDACTED]  
[REDACTED]  
Hooksett, NH 03106

**Re: REJECTION OF ADMINISTRATIVE COMPLAINT**

Dear [REDACTED]:


This letter is in response to the September 28, 2000 administrative complaint that you filed with the United States Environmental Protection Agency (EPA) Office of Civil Rights (OCR) alleging violations against HADCO Corporation (HADCO) located in Hudson, New Hampshire. You requested the EPA investigate allegations of violations that you were subjected to harassment, discrimination, and selective safety programs by HADCO after you got injured on the job.

Under Title VI of the Civil Rights Acts of 1964, as amended (Title VI), a recipient of Federal financial assistance may not discriminate on the basis of race, color, or national origin. Pursuant to EPA's Title VI administrative regulations, OCR conducts a preliminary review of Title VI complaints for acceptance, rejection, or referral. 40 C.F.R. § 7.120(d)(1). A complaint should meet jurisdictional requirements as described in EPA's Title VI regulations. First, it must be in writing. Second, it must describe alleged discriminatory acts that, if proven true, may violate EPA's Title VI regulations. Third, it must be timely filed. Under EPA's Title VI regulations a complaint must be filed within 180 calendar days of the alleged discriminatory act. 40 C.F.R. § 7.120(b)(2). Fourth, because EPA Title VI regulations only apply to recipients of EPA financial assistance, it must identify an EPA recipient that allegedly committed a discriminatory act. 40 C.F.R. § 7.15.

Your complaint pertains to work place injury and not an alleged violation of Title VI nor EPA's regulations implementing Title VI at 40 C.F.R. Part 7. OCR has no jurisdiction to investigate any work related injury complaints nor complaints filed against private corporations that do not receive financial assistance from EPA. Therefore, OCR is rejecting your complaint and will not investigate it. Although your letter stated your complaint would also be filed with the Occupational Safety and Health Administration (OSHA), OCR will refer your letter to OSHA under separate cover.

If you have any questions, please contact Mirza P. Baig of my staff by phone at (202) 564-7272, by e-mail at [baig.mirza@epamail.epa.gov](mailto:baig.mirza@epamail.epa.gov), or by mail to the U.S. EPA, Office of Civil Rights (MC 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460.

Sincerely,



Ann E. Goode  
Director

cc: Charles N. Jeffress, Assistant Secretary of Labor for (w/copy of complaint)  
Occupational Safety and Health Administration  
Room S2315, 200 Constitution Avenue  
Washington, D. C. 20210

Rafael DeLeon, Associate General Counsel (w/copy of complaint)  
Civil Rights Law Office  
Office of General Counsel (MC 2311A)

Barry E. Hill, Director (w/copy of complaint)  
Office of Environmental Justice (MC 2201A)  
Office of Enforcement and Compliance Assurance

Marsha L. Minter, Special Assistant  
Office of the Administrator (MC 1103A)

Manager  
HADCO Corporation  
21 Flagstone Drive  
Hudson, NH 03051

Mindy Lubber  
Regional Administrator  
EPA Region 1

Pam Hill (w/copy of complaint)  
Title VI Contact  
EPA Region 1



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

DEC - 5 2000

OFFICE OF  
CIVIL RIGHTS

**CERTIFIED MAIL # Z 480 247 094**  
**RETURN RECEIPT REQUESTED**

**In Reply Refer To:**  
EPA File No: 12R-00-R1

Mr. Charles N. Jeffress  
Assistant Secretary of Labor  
Occupational Safety and Health Administration  
200 Constitution Avenue, Room S2315  
Washington, D. C. 20210

**Re: REFERRAL OF ADMINISTRATIVE COMPLAINT**

Dear Mr. Jeffress:

The Environmental Protection Agency (EPA) Office of Civil Rights (OCR) has received a complaint from an individual alleging harassment and discrimination after a work related injury. The issues described in the complaint do not fall within the jurisdiction of this office. It appears that the issues raised in the complaint may be properly addressed by the Occupational Safety and Health Administration (OSHA). Therefore, we are referring this complaint to you for your review and any action you believe is appropriate. It appears that OSHA has more expertise to investigate the referenced complaint rather than EPA.

Additionally, we will be notifying the complainant that we are forwarding his complaint to your agency for your review and disposition. If you have any questions regarding this letter, please have your staff contact Mr. Mirza Baig at (202) 564-7288.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann E. Goode", is written over a faint circular stamp.

Ann E. Goode  
Director

Enclosure

cc:

[REDACTED]  
[REDACTED]  
Hooksett, NH 03106

Gary S. Guzy  
General Counsel  
Office of General Counsel (MC 2310A)

Rafael DeLeon  
Civil Rights Law Office  
Office of General Counsel (MC 2399A)

Barry E. Hill  
Director  
Office of Environmental Justice (MC 2201A)  
Office of Enforcement and Compliance Assurance

Marsha Minter  
Special Assistant  
Office of the Administrator (MC 1103A)

Mindy Lubber  
Regional Administrator  
EPA Region (1)

Pam Hill  
Regional Title VI Contact  
EPA Region 1